

REMARKS

Claims 90, 95 and 108 are canceled without prejudice, and therefore claims 86, 87, 89, 91, 92, 94, 96 to 107 and 109 to 116 are now pending and being considered (since claims 72 to 85 were previously withdrawn in response to a restriction requirement).

Applicants respectfully request reconsideration of the present application in view of this response.

With respect to paragraph eight (8), claims 86, 87, 89, 91, 92, 94, 96 to 107 and 109 to 116 were rejected as unpatentable under 35 U.S.C. § 103(a) over the “Menezes” reference (Menezes in Handbook of Applied Cryptography).

In rejecting a claim under 35 U.S.C. § 103(a), the Examiner bears the initial burden of presenting a prima facie case of obviousness. In re Rijckaert, 9 F.3d 1531, 1532, 28 U.S.P.Q.2d 1955, 1956 (Fed. Cir. 1993). To establish prima facie obviousness, three criteria must be satisfied. First, there must be some suggestion or motivation to modify or combine reference teachings. In re Fine, 837 F.2d 1071, 5 U.S.P.Q.2d 1596 (Fed. Cir. 1988). This teaching or suggestion to make the claimed combination must be found in the prior art and not based on the application disclosure. In re Vaeck, 947 F.2d 488, 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991). Second, there must be a reasonable expectation of success. In re Merck & Co., Inc., 800 F.2d 1091, 231 U.S.P.Q. 375 (Fed. Cir. 1986). Third, the prior art reference(s) must teach or suggest all of the claim features. In re Royka, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974).

While the rejections may not be agreed with, to facilitate matters, the claims have been rewritten to better clarify the claimed subject matter.

In particular, it is believed and respectfully submitted that any review of the applied reference makes plain that the “Menezes” reference does not describe or even suggest the features of sending the original data and the accredited information, and the use of the session information, as provided for in the context of claims 86, 89, 91, 94, 96, 100, 102, 104, 105, 109, 113 and 115, as presented. These features are reflected in Figures 17 to 20 of the present application, and the related specification text for Figures 17 to 20. It is therefore respectfully requested that the obviousness rejections be withdrawn, since these claims, as well as their respective dependent claims are allowable.

In summary, it is respectfully submitted that all of claims 86, 87, 89, 91, 92, 94, 96 to 107 and 109 to 116 of the present application are allowable at least for the foregoing reasons.

CONCLUSION

In view of the foregoing, it is believed that the rejections have been obviated, and that claims 86, 87, 89, 91, 92, 94, 96 to 107 and 109 to 116 are allowable. It is therefore respectfully requested that the rejections be withdrawn, and that the present application issue as early as possible.

Respectfully submitted,
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Dated: 11/18/2005

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